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The Vance Plan for A Vietnam Cease-Fire

By ROBERT KLEIMAN

A 30-day race against time brought the first Vietnam war to an end at the 1954 Geneva Conference.

A simple two-word agreement on "temporary partition"—a phrase that never appeared in the official record—made peace possible. The outline of that agreement was found by Pierre Mendès-France in Foreign Ministry notes taken during private conversations held in Geneva, as he prepared to ask the French National Assembly for investiture as Premier. That is what led him to make his famous wager —that he would negotiate a settlement in a month or quit— a wager that won him the Premiership and ended the war. Once the principle of partition had been accepted by both sides, Mendès-France realized, all that remained was to settle the details.

Is there a simple key to ending the second Vietnam war in 1969? Ambassador Cyrus R. Vance believes there may be. The former Vietnam peace negotiator thinks that that key is a "standstill cease-fire."

The attractiveness of the Vance Plan is that it is a proposal to negotiate a division of power— and territory—based on current realities. It would, simply, freeze the status quo and establish a modus vivendi between the contestants in Vietnam's two-decade civil war. Can it be done?

The leopard-spot distribution of Vietcong areas in South Vietnam has led some analysts to dismiss partition as an impossible solution. Most students of the problem in 1954 took the same view—for precisely the same reason. The Communist Vietminh then held areas in South Vietnam almost identical with those held by their Vietcong successors today, and held a similar though stronger position in the North.

But two young Frenchmen—one a diplomat, the other a colonel— believed otherwise, and devised a scheme. Foreign Minister Georges Bidault, a hawk who wanted to continue the war, brought it in his pocket to the Geneva conference for use if American intervention could not be obtained. The formula, without details, was suggested privately to a Vietminh delegate, Col. Ha Van Lau, who is now a delegate to the Paris peace talks.

Many weeks later, his agreement in principle was given on condition that the territory allocated to the Vietminh have the "character of a state," which he defined as an area with a capital and a port. It was a clear bid for the region of Tonkin, with its capital at Hanoi and its port at Haiphong.

Ha Van Lau's hand was on a map of Vietnam, covering that northern region, as he spoke. When his French interlocutor asked how far south he proposed to place the partition line, he moved his fingers into Annam Province and out again quickly, replying, "Not very far."

The cease-fire settlement of 1954 evacuated hundreds of thousands of French and Vietnamese troops from North Vietnam to the South, followed by a million civilians, mostly Roman Catholics. In the South, Vietminh forces regrouped into five zones and, later, 80,000 Vietminh troops and many of their families were evacuated to the North.

Beginning on this page are questions I posed to Mr. Vance, and his replies.

Q.—*Mr. Vance, why are the peace talks stalemated in Paris?*

A.—In my judgment, because there has not yet been proposed a realistic political-military package which could provide the basis for a settlement.

Q.—*Our side is proposing mutual withdrawal of external forces and free elections run by a joint electoral commission, including the Communists. The Communists are proposing an interim coalition government to conduct the elections. Is there nothing negotiable here?*

A.—As presently formulated, neither proposal is acceptable to the other side. For example, Hanoi and the National Liberation Front (N.L.F.) have made it clear that they are not going to discuss mutual withdrawal until the shape of the political settlement has been generally outlined. On the other hand, Saigon (the G.V.N.) has made it clear that it is not going to agree to the N.L.F. demand that it step aside in favor of a coalition provisional government. A middle ground has to be found which bridges the differences between the two sides.

Q.—*What do you propose?*

A.—That we change our strategy so as to cut down the fighting, and also put on the table in Paris a political-military package which proposes negotiation of a standstill cease-fire as the first order of business. This latter element is tremendously important because merely to propose it is to recognize the military, territorial and political status quo. It is necessary, in my judgment, to recognize the status quo to get serious negotiations.

I'm convinced that President Nixon is determined to achieve peace in Vietnam. In order to do this, I believe a new initiative is required.

Q.—*What do you mean precisely by a standstill cease-fire?*

A.—A simple cease-fire is one in which the writ of the Saigon Government would run throughout the country. Obviously, that would not be accepted by the other side, as they would view it as a surrender.

In contrast, a standstill, or cease-fire in place, recognizes the status quo. Each of the sides remains in place, takes defensive positions and stops all offensive actions. Free movement of trade, civilians and unarmed military personnel would be permitted throughout all areas of South Vietnam. Procedures would be developed to permit the movement of the required logistics for the military forces of both sides. During the winding down process, it would have to be agreed that local incidents of noncompliance would not justify departure from the general cease-fire. Further, the principle that no military or political advantage should be gained by either side throughout the period of the cease-fire would be recognized by the parties.

Q.—*How could you assure that?*

A.—There would have to be, first, an assurance that no Government troops would enter the areas under N.L.F. control except with the approval of the local government. This is a commitment somewhat like those made in the past to the Hoa Hao and Cao Dai sects and to some of the *montagnard* provinces. In return, Vietcong terrorism in areas controlled by Saigon would have to cease.

Second, an understanding would be needed that in the areas which are currently under N.L.F. control, the authority of existing local officials of the "liberation committee" would be recognized, pending elections, and that appointments of Saigon Government officials within those territories would not be made over the objections of the local authorities. There is precedent for this. Similar arrangements have been made in the important areas controlled by the Hoa Hao and the Cao Dai. The kind of Saigon Government officials that I have

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in mind are those from the civilian ministries, such as Agriculture and Health.

Third, there would be recognition, pending elections, of N.L.F. control over taxes in its areas and N.L.F. use of such taxes for local purposes. Again, this is a procedure similar to that currently being used in Saigon-controlled rural areas. Moreover, the N.L.F. already collects taxes in these areas.

Further, you would need a recognition by the Saigon Government of the legality of decrees by N.L.F. liberation committees on land tenure, unless Saigon first moves to institute its own program for land reform.

Q.—*Now, isn't this, in effect, a kind of partition of South Vietnam?*

A.—In a sense it's a partition. But only by recognizing the realities that exist are you going to find a basis on which the two sides can negotiate a settlement.

Q.—*The places now partitioned — Germany, India - Pakistan, Korea, North and South Vietnam, Berlin, Ireland — are divided by a fixed line, two in the case of India-Pakistan. But in South Vietnam there is a leopard-spot division of territories, cutting across roads, railroads, canals, separating cities from their countryside. How can partition work in that kind of a jigsaw puzzle?*

A.—What I believe you would end up with is essentially a form of federation with the various local entities and their people represented in the national legislature, thus giving them a voice in the national government. At the local level you would have control resting in the hands of those who control the territory now.

Q.—*How would you prevent violations of the agreements?*

A.—The most practical mechanism to guard against violations of the cease-fire would be a modified International Control Commission (I.C.C.). The I.C.C. created by the 1954 settlement in Geneva consists of three parties — India, which serves as chairman, Canada and Poland. This peace-keeping force—either alone or in coordination with a joint military commission similar to that set up by the French and the Communist Vietminh in 1954—would establish and staff posts in the 43 province capitals and in the district towns. They would receive reports and make recommendations for the solution of difficulties and disputes. Local commanders would be instructed to comply with the recommendations of the local peace-keeping unit.

Q.—*How many posts would you need?*

A.—Perhaps 300 or so.

Q.—*How many people would this involve?*

A.—About 3,000. The posts could be small. The peace-keeping units would have to operate under majority rule; under the current procedures, the vote of one member can block action by the I.C.C. This would have to be changed. They would be guaranteed safe conduct and free movement to investigate reported violations rapidly.

Q.—*Do you have any reason to believe that the Vietcong would accept majority decisions by the I.C.C.?*

A.—They have never said either that they would or would not. But the Vietcong would have an interest in seeing that the peace-keeping force was effective. If the Vietcong is going to stop fighting, it will wish to be sure that its people will be protected, and therefore that it has effective machinery in place to which it can effectively appeal.

Now, I'm not suggesting that the Vietcong is going to turn in its arms, because that would be impractical during the period of working out the details of the political settlement.

Q.—*You mean that they would continue to retain their own armed force?*

A.—That's right.

Q.—*On a permanent basis?*

A.—No, on a permanent basis the nature and size of military forces that would be permitted is a matter that would have to be negotiated. Assuming a confederal type of settlement, one possibility is that the N.L.F. forces could become the local element of the national government forces in the particular area in which they lived.

Q.—*How can you define the status quo territorially when so much of the country is contested territory, under the control of Saigon in the daytime and under the control of the Vietcong at night?*

A.—This would have to be negotiated between Saigon and the N.L.F. in Paris.

Q.—*In the end, they would wind up trading some areas for others—some areas would be given to the Vietcong and others would be given to Saigon?*

A.—That's the case in any negotiation. In some disputed areas, the negotiators might agree to determine the majority allegiance by local balloting.

The idea of a leopard-spot federal or confederal solution is not a new theory, as you undoubtedly know. It has been discussed in Vietnamese circles and elsewhere. What has not always been seen clearly is that a proposal for a standstill cease-fire would almost automatically shape the solution in that way.

Q.—*What about the people who live in these areas? Would they have to remain there?*

A.—There would have to be complete freedom of movement for all civilians.

Q.—*Anybody who didn't want to stay in a zone allocated to the Vietcong could move into another area?*

A.—That's correct, and I would foresee elections in all areas eventually so that the people of South Vietnam would have a voice in determining their future.

Q.—*Do you think this movement in population would take place before the elections?*

A.—In a number of areas, others, there would be little movement. I would expect that local elections would precede national voting. You would first have elections of local representatives at the hamlet and village level, and perhaps at the provincial level as well. The elections, in areas where the N.L.F. is clearly in control, would obviously reflect the realities that exist on the ground. The same would be true in those areas where the Saigon Government is clearly in control.

Then you would have elections for the National Assembly — both the lower and upper houses — with all South Vietnamese entitled to vote. In this connection, I think you could expect to see the resulting legislature composed of various political, religious and ethnic groups.

Finally, there would be the election of a President and a Vice President.

Q.—*You see this as a series of elections rather than one election?*

A.—Probably. But the timing of the various elections would be for the parties to decide. What you would end up with, then, would be strong local governments in various areas which would be controlled and dominated by the N.L.F., as they actually are on the ground today. The Central Government's role in these areas would be a weak one. In other areas you would see the local governments dominated by Saigon. And in a third group of areas you would have sort of a mixed bag, with a center group emerging that is not aligned with either Saigon or the N.L.F. I think there is a large segment of Buddhists and others who fall into this category. It's a sort of third force that exists in all parts of South Vietnam.

Q.—*Do you think they might be drawn into some local as well as national role as a buffer between the two major political forces that are armed?*

A.—I think that's possible. You would also probably have Hoa Hao, Cao Dai and *montagnard* autonomous areas in the federation.

Q.—*Who would conduct the elections?*

A.—The elections would be conducted under a broadly representative electoral commission with the N.L.F. and the Saigon Government participating, and both sides pledged in advance to accept the outcome.

I want to make it clear that what I am suggesting is not a winner-take-all electoral solution. I don't think that either side is going to be willing to accept a winner-take-all election. The risks to each are too great, because in one fell swoop either might lose what it had been fighting and dying for over many years.

Q.—*Is it your assumption that the N.L.F. would give up the idea of sharing power nationally through a coalition government? Are you saying that it would settle for minority representation in the national parliament if it were assured virtual local*

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autonomy in the regions that it now controls?

A.—I think so. In the settlement I've outlined, the two sides would divide power and territorial control rather than seek to govern jointly through a coalition government at the start. The N.L.F. would be accepting a trade-off, obtaining local control by giving up its demands for a strong position in the Central Government. It would see the prospect that it might increase its political power later by peaceful competition. Meanwhile, it would be guaranteed what it has achieved on the ground over the years.

Q.—*Is this the essence of the political-military package you are proposing for the Paris talks?*

A.—Yes. But there are other important elements as well. Let me say first that this plan did not spring to life overnight, nor is the process by which my conclusions evolved in this direction a unique one. The thinking of many students of the problem has helped to shape my thinking. Clark Kerr's Committee for a National Political Settlement in Vietnam, with which I have associated myself recently, saw the need very early for a package proposal of this kind. Similar proposals have been examined within our Government. There are six essential elements in the political-military package:

1) A standstill cease-fire. 2) Self-determination for the South Vietnamese through free elections. 3) A broadly representative electoral commission with N.L.F. participation that could determine what changes are needed in the Constitution and election laws, and could then conduct the elections. 4) An international peace-keeping force. 5) A sweeping land-reform program. 6) Medical aid and relief to North as well as South Vietnam to bind up the wounds of war, along with economic assistance.

Q.—*One objection to the cease-fire approach is that the other side is a clandestine movement engaged in subversion and the use of terrorism. It moves by night under cover. Its activities would be difficult to regulate while the movement of the South Vietnamese Army and police in uniform would be controlled by the cease-fire. How would you get around that objection?*

A.—From what we have been able to observe over the years, it appears that the North Vietnamese and the N.L.F. have the ability to exercise firm control over the action of their troops in the field. I think there's good reason to believe that an agreement would be carried out if the instructions to do so were given by the commanders of the North Vietnamese and N.L.F. forces. Moreover, you would have the peace-keeping force policing the cease-fire. I want to underscore the fact that the recent three-day truce is not a valid indicator of what might happen in the future because the G.V.N., according to reports from South Vietnam, did not observe the truce.

Q.—*How could you control political infiltration and terrorism, and the use of threats, to extend N.L.F. political control during a period of cease-fire.*

A.—As I have indicated, you would have either the I.C.C. or the I.C.C. together with a joint military commission, which would police the cease-fire and to whom complaints could be made about violations. In my judgment, this would act as a deterrent.

I'm not suggesting that there might not be a rather messy situation when the cease-fire was put into effect. There undoubtedly would be violations, and people would be injured and killed in the process. It would be misleading if I didn't make it very clear that this is to be expected.

On the other hand, as the situation exists today, taking the total casualties on both sides, many hundreds are being wounded or killed each week. If there were a standstill cease-fire, the casualties would be very substantially reduced—if not eliminated—even with the violations you would have to expect.

Q.—*I suppose you would have as a deterrent the fact that Saigon's forces could always resume the fighting if they felt the Communists were taking advantage of the cease-fire?*

A.—Yes.

Q.—*The Saigon secret police would also, presumably, be functioning. Might there be a kind of tong warfare and clandestine undercover fighting going on in some of these areas?*

A.—I'm sure you would have all kinds of violations of the cease-fire from time to time in various places throughout the country.

Q.—*Now, another objection that is raised is this: If you had a standstill cease-fire, the N.L.F., which has set up a phantom provisional government, would be able to announce a capital and proclaim themselves there as the Government of South Vietnam. This is something they have not been able to do at present. Although they control large regions clandestinely, there is no part of the country which the South Vietnamese Army and the American forces cannot seize if they wish. But if there were a cease-fire, the army of Saigon would not be permitted to enter N.L.F. areas. The argument made by the Saigon Government is that the political position of the N.L.F. would be upgraded very substantially, if it could set up a secure capital. What do you think of this argument?*

A.—It is possible that the N.L.F. might take that action. But assuming that were done, I believe it is questionable that it would materially change the situation.

Q.—*The final argument that's made against the cease-fire approach is that all these arrangements would weaken the Saigon Government, and its position might disintegrate. Is the Saigon Government that weak?*

A.—If the G.V.N. broadens its political base and takes the initiative for peace, it should be able to win the support of a broad spectrum of the South Vietnamese people. But it must broaden its political base.

Q.—*Do you see any broadening in the new Cabinet and in the replacement of a civilian Prime Minister with General Khiem?*

A.—No, I think it was a step backward. In my judgment, it is essential that President Thieu promptly name a strong advisory council with a very broad political and religious base.

Q.—*If the United States is withdrawing from Vietnam, does it have the right any longer to tell the Saigon leaders how to constitute their Government? We can't have it both ways, can we?*

A.—The United States has made a great expenditure of lives and blood in Vietnam, and I think we have the right to urge what we believe is required to end the fighting and give some hope of stability for the future.

Q.—*In other words, unilateral withdrawal or even a mutual withdrawal of the American and North Vietnamese forces might lead, not to peace, but to a continuation of the war?*

A.—If you could get mutual withdrawal of North Vietnamese and United States forces, it might put pressure on both the N.L.F. and the G.V.N. to reach a political accommodation. But most important, we must try to stop the fighting now and capture the initiative for peace. If the United States were to come forward with a proposal calling for a standstill cease-fire, it could have a profound impact throughout the world. In my judgment, it would gain the support of world opinion. And even if the cease-fire proposal were turned down initially, it could be left on the table and world opinion would in time have its effect on the parties. As you know, both the North and South Vietnamese are very sensitive to world opinion.

Vietnam has been riven by war for many, many years. I think there's a great desire for peace among the Vietnamese people, North and South, running from the grass roots right up through all segments of the society. If a broadened Saigon Government were to offer the country peace and land reform, the other side would have to respond.

Q.—*How does land reform fit into the peace negotiation package you are proposing?*

A.—I hope that it will pass the Saigon legislature quickly, transferring all tenant-farmed land to the

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peasants who are tilling it. In my judgment, the land-reform program would have a major political effect throughout South Vietnam. I would think it would be of great concern to the N.L.F., and it could become a useful subject of negotiation with them. You might offer to withhold putting the program into effect in N.L.F. areas, pending a working out of the political settlement with the other side.

Q.—*How could the N.L.F. come out against distributing the land to the peasants?*

A.—They would claim they already had done that and that it was unnecessary for the Saigon Govern- to take any action in their areas.

Q.—*What makes you think Hanoi wants to negotiate a settlement? Might they not think now that they only have to sit tight and the United States will pull out?*

A.—They might, but one indicator is that they have shown great interest on a number of occasions in economic and technical assistance from the United States in the postwar period. Another indicator is the quality of the negotiators Hanoi has sent to Paris, which leads me to believe they have come to make a settlement, not to stall indefinitely. We were impressed by their serious attitude, their skill and precision and their courtesy. I also want to make it clear that the G.V.N. has also sent very able people to Paris.

Q.—*Do you think American aid to North and South Vietnam would help to guarantee that the peace agreements would be carried out?*

A.—It could have an important effect. I believe that the North Vietnamese want to remain independent of both China and the Soviet Union. To the extent that they could receive assistance elsewhere, it would fortify and strengthen this position. You will recall that both Hanoi and the N.L.F. have said that they look forward to good relations with the United States after the war.

Q.—*Do you think the N.L.F. is serious about its stated desire to assume a neutral posture along with the rest of Southeast Asia?*

A.—I hope so, but only time can tell.

Q.—*The settlement you propose, then, would not terminate the political or economic role that the United States plays in Southeast Asia in support of national independence by countries in the area?*

A.—No. Our Government has said on many occasions that it is prepared to take a very active role in supporting economic development for all of the peoples in Southeast Asia, including the North Vietnamese.

Q.—*Would the federation within South Vietnam that you foresee ultimately join in a confederation with North Vietnam, or unite with it in some other way?*

A.—That would be up to the North and the South to negotiate. My own feeling is that both North and South want some form of eventual unification. Indeed, I have heard individuals on both sides say that they wish to see North and South Vietnam eventually joined together in some way. Members of the N.L.F. have spoken to the press about a period of five or ten years before unification with the North.

Q.—*Is there a political inhibition against early reunification?*

A.—I think there's little question but that Southerners are Southerners in Vietnam. They want to pull themselves together politically so that they can deal with North Vietnam on an equal basis, rather than be taken over. The Saigon Government and the N.L.F., too, I believe, have suggested that the first steps be trade, exchange of letters, the movement of families back and forth from North Vietnam to South Vietnam and vice versa. The fact that South Vietnam had abundant rice was a very important factor in the past in trade with the North.

Q.—*If Hanoi doesn't respond to all our offers, do you think we ought to continue unilateral withdrawal?*

A.—Yes. I think that we can and should remove substantially larger forces than we have so far. We must try to bring about an end to the fighting now, but, if we can't, we ought to turn it over to the G.V.N. as rapidly as possible.

Q.—*Would your objective in pulling out be to force Saigon to negotiate seriously?*

A.—In part.

Q.—*Do you think we are now in a period of de-escalation, and that if we reciprocate . . . ?*

A.—The only way we'll ever know is to test it. That's why we ought to come forward at this point and put on the table a proposal for a standstill cease-fire and for a realistic political settlement. We have nothing to lose by doing it, and everything to gain.

Q.—*What would you do to de-escalate in response to a lull?*

A.—I would cut back on the search and destroy operations, and cut back further on the B-52 operations.

Q.—*Why would you cut back on the B-52 operations?*

A.—B-52 operations was one of the subjects that the other side raised many times in Paris. Because of the importance the other side attaches to these operations, cutting them back further might provide the initiative for the cutting down of hostilities by mutual example. It is important to remember that it would be unrealistic to expect an immediate response from the other side. These things take time.

Q.—*What effect will Ho Chi Minh's death have on the Vietnam war and the Paris peace negotiations?*

A.—I don't know. The death of a charismatic leader who over the years was strong enough to reach compromises, as he did, with the French in the nineteen-forties and nineteen-fifties may lessen the chance for peace. On the other hand, there will undoubtedly be a period of uncertainty in the aftermath of his death during which there will be a struggle for succession. It may well be, therefore, that the collective leadership, while sorting out their own relationships and those of their country with other countries, may want to take a fresh look at the situation.

In any event, we should seize this opportunity to open up a new path toward peace. To this end, we should propose a practical political-military package which could provide a basis for a settlement. ■

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Johnson writes foreword to anti-Viet-policy book

By the Associated Press

New York

Former President Lyndon B. Johnson has penned a favorable foreword to a book by Eugene R. Black, former president of the World Bank, critical of the policies which led to big-scale United States involvement in Vietnam.

In the book "Alternative in Southeast Asia," Mr. Black said the attempt to beat off the Communists through counterinsurgency "proved faulty in Vietnam and, in the process, helped to destroy much public support for the whole idea of foreign aid."

Mr. Black, once a Johnson adviser on economic development in Southeast Asia, suggests instead of "an overwhelming American presence a multilateral framework for a policy of regional cooperation."

Mr. Johnson's foreword comments: "Whether one agrees or not with all of his analyses and prescriptions, no reader will put this book down without being left with a whole winter's cupboard full of food for thought."

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Those heavy B-52 bombing strikes in Vietnam and Laos will stop — if Hanoi's new leaders continue to reduce the level of violence and show a willingness to compromise.

Meanwhile, the United States stands prepared to discuss compromise, beyond the formal proposals it has already made.

This is one meaning of the 36-hour halt in the bombings after the pause during the funeral of Ho Chi Minh.

The White House has clearly signaled this message to Hanoi by more than one means.